

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SOHEIL ZAERPOUR & THE PEOPLE OF THE  
UNITED STATES,

Plaintiffs,

v.

JP MORGAN CHASE BANK, BANK OF  
AMERICA, UBS, CREDIT SUISSE, CITIBANK,  
HSBC, GOLDMAN SACHS, DEUTSCHE BANK,  
ROYAL BANK OF SCOTLAND, ET AL.,

Defendants.

Case No. 1:21-cv-09680-JPC-JLC

**NOTICE OF DEFENDANTS' JOINT MOTION  
TO DISMISS PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying papers described herein, and  
upon all prior pleadings and papers filed herein, that:

Defendants Bank of America, N.A., Citibank, N.A., Credit Suisse Securities (USA) LLC,  
Deutsche Bank AG, Goldman Sachs & Co. LLC, HSBC Bank USA, N.A., JP Morgan Chase  
Bank, N.A., NatWest Markets Plc, and UBS Securities LLC hereby move this Court, before the  
Honorable James L. Cott, United States Magistrate Judge for the Southern District of New York,  
at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New  
York 10007 (the "Court"), on a date and time to be determined by the Court, for an order  
pursuant to Rule 12 of the Federal Rules of Civil Procedure, dismissing with prejudice all claims  
against them in plaintiff's Complaint filed on November 19, 2021 (ECF No. 1), based on (among  
other things) failure to effect service of process, lack of personal jurisdiction, and failure to state  
a claim, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE of the accompanying Memorandum of Law and Declarations of Andrew A. Ruffino and Richard G. McCarty in support of defendants' motion.

PLEASE TAKE FURTHER NOTICE that pursuant to paragraph II.C. of Judge Cott's Individual Rules of Practice, defendants e-mailed plaintiff on January 31, 2022 to seek agreement as to the following proposed briefing schedule:

- Feb. 10, 2022: Defendants file motion to dismiss
- Mar. 3, 2022: Plaintiff files opposition
- Mar. 17, 2022: Defendants file reply papers

This proposal essentially adds one week to the normal timelines for opposition and reply briefs specified in S.D.N.Y. Local Civil Rule 6.1(b). Plaintiff did not object or propose a different schedule, but provided the following response:

"i might not be able to file an opposition since it requires to include a memorandum of law if i am not mistaken. i have no (zero) legal representation at this moment by no fault of my own. this case needs to be handled by the district attorney directly as an international criminal case involving the large banks and possibly yet unidentified criminals. i understand this not the answer you are looking for but that is the best i can share with you at this point. Feel free to share my response with the court.

sincerely,  
Soheil Zaerpour  
economist/pilot"

Defendants plan to proceed based on the unopposed schedule set forth above, absent an order from the Court prescribing a different schedule.

Dated: February 10, 2022

The request is granted. Plaintiff shall oppose by March 3, 2022 and Defendants shall reply, if at all, by March 17, 2022.

SO ORDERED.

Date: February 11, 2022

New York, New York

SHEARMAN & STERLING LLP

By: s/ Jeffrey J. Resetarits\*

Adam S. Hakki

Richard F. Schwed

Jeffrey J. Resetarits

599 Lexington Avenue

New York, New York 10022

Telephone: (212) 848 4000

[jeffrey.resetarits@shearman.com](mailto:jeffrey.resetarits@shearman.com)

*Attorneys for Defendant Bank of America,  
N.A.<sup>1</sup>*

COVINGTON & BURLING LLP

By: s/ Andrew A. Ruffino

Andrew A. Ruffino

The New York Times Building

620 Eighth Avenue

New York, New York 10018

Telephone: (212) 841-1000

[aruffino@cov.com](mailto:aruffino@cov.com)

*Attorneys for Defendant Citibank, N.A.<sup>2</sup>*

---

<sup>1</sup> Plaintiff purports to assert claims against “Bank of America,” which is not an accurate and complete name of a legal entity. Bank of America, N.A. reserves all rights and does not waive any defenses.

<sup>2</sup> Plaintiff purports to assert claims against “Citibank,” which is not an accurate and complete name of a legal entity. Citibank, N.A. reserves all rights and does not waive any defenses.

CAHILL GORDON & REINDEL LLP

By: s/ David G. Januszewski\*

David G. Januszewski

Herbert S. Washer

Elai E. Katz

Jason M. Hall

Miles Wiley

32 Old Slip

New York, New York 10005

Telephone: (212) 701-3000

djanuszewski@cahill.com

hwasher@cahill.com

ekatz@cahill.com

jhall@cahill.com

mwiley@cahill.com

*Attorneys for Defendant Credit Suisse  
Securities (USA) LLC<sup>3</sup>*

KING & SPALDING LLP

By: s/ G. Patrick Montgomery\*

G. Patrick Montgomery (*pro hac vice*)

1700 Pennsylvania Ave., NW

Washington, DC 20006

Telephone: (202) 626-5444

pmontgomery@kslaw.com

Nicole M. Pereira

1185 Avenue of the Americas, 34<sup>th</sup> Fl.

New York, New York 10036-2601

Telephone: (212) 556-2132

Facsimile: (212) 556-2222

npereira@kslaw.com

*Attorneys for Defendant Deutsche Bank AG<sup>4</sup>*

---

<sup>3</sup> Plaintiff purports to assert claims against “Credit-Suisse,” which is not an accurate and complete name of a legal entity. Credit Suisse Securities (USA) LLC reserves all rights and does not waive any defenses.

<sup>4</sup> Plaintiff purports to assert claims against “Deutsche Bank,” which is not an accurate and complete name of a legal entity. Deutsche Bank AG reserves all rights and does not waive any defenses.

CLEARY GOTTLIEB STEEN &  
HAMILTON LLP

By: s/ Rishi Zutshi\*  
Rishi Zutshi  
Daniel Montgomery  
One Liberty Plaza  
New York, New York 10006  
Telephone: (212) 225-2000  
rzutshi@cgsh.com  
dmontgomery@cgsh.com

*Attorneys for Defendant  
Goldman Sachs & Co. LLC<sup>5</sup>*

SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP

By: s/ Boris Bershteyn\*  
Boris Bershteyn  
One Manhattan West  
New York, New York 10001  
Telephone: (212) 735-3000  
boris.bershteyn@skadden.com

*Attorneys for Defendant JP Morgan Chase  
Bank, N.A.<sup>7</sup>*

LOCKE LORD LLP

By: s/ Gregory T. Casamento\*  
Gregory T. Casamento  
Brookfield Place  
200 Vesey Street, 20th Floor  
New York, New York 10281-2101  
Telephone: (212) 812-8325  
gcasamento@lockelord.com

*Attorneys for Defendant HSBC Bank USA,  
N.A.<sup>6</sup>*

DAVIS POLK & WARDWELL LLP

By: s/ Paul S. Mishkin\*  
Paul S. Mishkin  
Adam Mehes  
John M. Briggs  
450 Lexington Avenue  
New York, New York 10017  
Telephone: (212) 450-4000  
paul.mishkin@davispolk.com  
adam.mehes@davispolk.com  
john.briggs@davispolk.com

*Attorneys for Defendant NatWest Markets  
Plc<sup>8</sup>*

---

<sup>5</sup> Plaintiff purports to assert claims against “Goldman Sachs,” which is not an accurate and complete name of a legal entity. Goldman Sachs & Co. LLC reserves all rights and does not waive any defenses.

<sup>6</sup> Plaintiff purports to assert claims against “HSBC,” which is not an accurate and complete name of a legal entity. HSBC Bank USA, N.A. reserves all rights and does not waive any defenses.

<sup>7</sup> Plaintiff purports to assert claims against “JP Morgan Chase Bank,” which is not an accurate and complete name of a legal entity. JP Morgan Chase Bank, N.A. reserves all rights and does not waive any defenses.

<sup>8</sup> Plaintiff purports to assert claims against “Royal Bank of Scotland,” which is not an accurate and complete name of a legal entity. NatWest Markets Plc, formerly known as The Royal Bank of Scotland plc, reserves all rights and does not waive any defenses, including as to personal jurisdiction.

GIBSON, DUNN & CRUTCHER LLP

By: s/ Eric J. Stock\*

Eric J. Stock  
200 Park Avenue,  
New York, New York 10166  
Telephone: (212) 351-4000  
estock@gibsondunn.com

*Attorneys for Defendant UBS Securities  
LLC<sup>9</sup>*

\*Signatures used with permission pursuant to S.D.N.Y. ECF Rule 8.5

---

<sup>9</sup> Plaintiff purports to assert claims against “UBS,” which is not an accurate and complete name of a legal entity. UBS Securities LLC reserves all rights and does not waive any defenses.